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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8
I hereby certify that this correspondence, totaling 12 pages including rectified attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 703-872-8308 (Central number) on the below date:
Date: September 7, 2004 Name: Lawrence G. Almada Signature: [Signature]

BRINKS
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& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE:

In re Appln. of: SCOTT E. BOATMAN et al.
Appln. No.: 09/848,742
Filed: May 3, 2001
For: MEDICAL DEVICE INCLUDING UNITARY,
CONTINUOUS PORTION OF VARYING
DUROMETER

Examiner: C. Williams

Art Unit: 3733

Attorney Docket No: 8627-189

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

☒ Reply Under 37 C.F.R. § 1.111 and Response to Notice of Non-Compliant Amendment Under 37 C.F.R. § 1.121

☐ Return Receipt Postcard

Fee calculation:

☒ No additional fee is required.

☐ Small Entity.

☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).

☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).

☐ An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		or	Not a Small Entity	
					Rate	Add'l Fee		Rate	Add'l Fee
Total		Minus			x \$9=			x \$10=	
Indep.		Minus			x \$43=			x \$88=	
First Presentation of Multiple Dep. Claim					+ \$143=			+ \$280=	
					Total	\$		Total	\$

Fee payment:

☐ A check in the amount of \$_____ to cover the above-identified fee(s) is enclosed.

☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.

☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).

☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.18 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

[Signature]
Lawrence G. Almada (Reg. No. 46,51)

1251-110

09/20/2004 TRANSMISSION 00000000 09/07/2004
September 7, 2004
Date